



Order Filed on January 4, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1

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In re:

HOLLISTER CONSTRUCTION SERVICES, LLC,¹

Debtor.

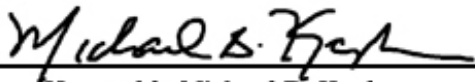
Chapter 11

Case No. 19-27439 (MBK)

**ORDER GRANTING DEBTOR'S MOTION TO (I) APPROVE OF A SETTLEMENT
AGREEMENT BY AND BETWEEN HOLLISTER CONSTRUCTION SERVICES, LLC
AND MERCEDES-BENZ USA, LLC, AND TO REJECT CERTAIN AGREEMENTS; (II)
APPROVE OF A SETTLEMENT AGREEMENT WITH MID-ATLANTIC
MECHANICAL, INC.; AND (III) GRANTING RELATED RELIEF**

The relief set forth on the following pages, numbered two (2) through and including three
(3), is hereby **ORDERED**.

DATED: January 4, 2020


Honorable Michael B. Kaplan
United States Bankruptcy Judge

¹ The Debtor in this chapter 11 case and the last four digits of its taxpayer identification number is: Hollister Construction Services, LLC (5404).

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Debtor: Hollister Construction Services, LLC

Case No.: 19-27439 (MBK)

Caption: *Order Granting Debtor's Motion to (i) Approve of a Settlement Agreement By and Between Hollister Construction Services, LLC and Mercedes-Benz USA, LLC, and to Reject Certain Agreements; (ii) Approve of a Settlement Agreement with Mid-Atlantic Mechanical, Inc., and (iii) Granting Related Relief*

THIS MATTER having been opened to the Court upon the Motion of the above-captioned debtor-in-possession (the “Debtor”) seeking the entry of an order (i) approving of a Settlement Agreement by and between the Hollister Construction Services, LLC, (the “Debtor”) and Mercedes-Benz USA, LLC (“Mercedes”) dated December 17, 2019 (the “Agreement”), pursuant to [Fed. R. Bankr. P. 9019](#), and to reject certain agreements pursuant to [11 U.S.C. §365](#) and [Fed. R. Bankr. P. 6006](#), (ii) approving of a Settlement Agreement with Mid-Atlantic Mechanical Inc. (“Mid-Atlantic”) pursuant to [Fed. R. Bankr. P. 9019](#), and (iii) granting related relief (the “Motion”)²; and the Court having considered the Motion and any objections filed thereto, and the Court having jurisdiction over the Motion pursuant to [28 U.S.C. §§ 157](#) and [1334](#) and the Standing Order of Reference to the Bankruptcy Court Under Title 11 of the United States District Court for the District of New Jersey, dated September 18, 2012 (Simandle, C.J.); and venue being proper in this District pursuant to [28 U.S.C. §§ 1408](#) and [1409](#); and the Motion is determined to be a core proceeding pursuant to [28 U.S.C. § 157\(b\)\(2\)](#); and the Court having determined that granting the relief requested in the Motion is in the best interests of the Debtor, its estate and creditors; and the Court having conducted a hearing on the Motion, at which time the Court heard and considered all oral argument of counsel; and good and sufficient notice of the Motion having been provided to all interested parties, and for good cause shown,

IT IS HEREBY ORDERED as follows:

1. The Motion is **GRANTED** as set forth herein.
2. The Agreement between the Debtor and Mercedes is hereby approved.
3. The Settlement Agreement between the Debtor and Mid-Atlantic is hereby approved.

² Capitalized terms not defined in this Order shall have the meaning ascribed to them in the Agreement.

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Debtor: Hollister Construction Services, LLC

Case No.: 19-27439 (MBK)

Caption: *Order Granting Debtor's Motion to (i) Approve of a Settlement Agreement By and Between Hollister Construction Services, LLC and Mercedes-Benz USA, LLC, and to Reject Certain Agreements; (ii) Approve of a Settlement Agreement with Mid-Atlantic Mechanical, Inc., and (iii) Granting Related Relief*

4. The Debtor is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order and the Settlement Agreements with both Mercedes and Mid-Atlantic.

5. All contracts and/or leases by and between the Debtor and Mercedes hereby are deemed rejected effective as of the Petition Date pursuant to section 365(a) of the Bankruptcy Code.

6. Any claims resulting from the rejection of any contracts and/or leases with Mercedes (the "Rejection Claim") shall be filed by no later than **January 20, 2020** (the "Rejection Claims Deadline"), at the following address:

Hollister Construction Services Claims Processing Center
c/o Prime Clerk LLC
850 3rd Avenue, Suite 412
Brooklyn, NY 11232

Claims may also be filed electronically at <https://cases.primeclerk.com/hcs/EPOCIndex>, but may not be delivered by facsimile, telecopy, electronic mail or other electronic transmission. The failure to file a Rejection Claim on or before the Rejection Claims Deadline shall forever bar any counterparty to any of the rejected contracts and leases from asserting a Rejection Claim against the Debtor or its estate or from recovering any distribution on account of any such claim.

7. The Order shall be effective immediately upon its entry and the stay imposed by Bankruptcy Rule 6006(d) or any other Rule is hereby waived.

8. The Court shall retain exclusive jurisdiction to hear and decide any and all disputes or issues related to or arising from the implementation, interpretation or enforcement of this Order.

United States Bankruptcy Court
District of New Jersey

In re:
Hollister Construction Services, LLC
Debtor

Case No. 19-27439-MBK
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jan 06, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 08, 2020.

db +Hollister Construction Services, LLC, 339 Jefferson Road, Parsippany, NJ 07054-3707

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 08, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 6, 2020 at the address(es) listed below:
NONE. TOTAL: 0